

01/28/00
JC715 U.S. PTO

JC598 U.S. PTO
09/492811
01/28/00

Atty. Dkt. No. 7426.100A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of
this application:

Class _____, Subclass _____

Prior Application:

Examiner M. LUBY
Art Unit 3721

Box Patent Application

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is a request for filing a [X] continuation []
divisional application under 35 U.S.C. 120 and/or 37 C.F.R.
1.60, of pending prior application serial no(s). 09/074,670
filed May 8, 1998; which is a DIV of 08/681,996 filed 7-30-96

(now U.S. Pat. No. 5,820,268)

, filed ~~xxxxx~~ _____, of

John W. Becker, for METHOD AND

APPARATUS FOR PACKING PERISHABLE FOODS

1. [X] Enclosed is a copy of the prior application(s), including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
2. [] Enclosed is a Request for Extension of Time for (1/2/3/4) month(s).
3. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION,
LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

	(Col. 1)	(Col. 2)	Small Entity	Other Than A Small Entity		
FOR:	No. Filed	No. Extra	Rate	Fee	Rate	Fee
Basic				\$345.		\$690.
Total Claims	12 -20=	*	x \$9	\$	x \$18	\$
Indep. Claims	1 -3=	*	x \$39	\$	x \$78	\$
Mult. Dep. Claim Present			+ \$130		+ \$260	
			Total	\$ 345.	Total	\$

* If the difference in col. 1 is less than zero, enter "0" in col. 2

4. [X] The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-0548. A duplicate copy of this sheet is enclosed.
5. [X] A check in the amount of \$ 345.00 is enclosed.
6. [X] Cancel in this application original claims 1-12 of the prior application before calculating the filing fee.
7. [X] Please amend the specification by inserting before the first line the sentence: --This is a [X] continuation, [] division of application serial no(s). 09/074,670 filed 5/8/98; which is a DIV of 08/681,996, filed 7/30/96 (now U.S. Pat. No. 5,820,268) the disclosure of which are all hereby incorporated by reference.--
8. [] Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

8a. [x] Informal/formal drawings are enclosed.

8b. [] Priority of application serial no(s).

_____, filed on
_____, in

is claimed under 35 U.S.C. 119.

[] The certified copy has been filed in prior application serial no(s).

_____, filed

9. [] The prior application(s) is(are) assigned or record to

10. [x] The power of attorney in the prior application(s) is/are to:

Myers, Liniak & Berenato

a. [x] The power appears in the original papers in the prior application(s).

b. [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. [x] Address all future communications to:

Thomas P. Liniak, Esquire
Liniak, Berenato, Longacre & White
6550 Rock Spring Drive, Ste. 240
Bethesda, Maryland 20817
(301) 896-0600

11. [x] A preliminary amendment is enclosed. Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.

12. [X] I hereby verify that the attached papers are a true copy of prior application serial no(s).

09/074,670 filed 5/8/98; which is a DIV of
08/681,996 as originally filed on
7/30/96 (now U.S. Pat. No. 5,820,268) the
disclosure of which are all hereby incorporated
herein by reference.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated:

1/28/00


Thomas P. Liniak, Esquire

Reg. No. 33,415

Attorney for Applicant(s)

- [] inventor(s)
- [] Assignee of complete interest
- [X] Attorney or agent of record
- [] Filed under Rule 34(a)

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